

PLANNING COMMISSION

November 17, 2021

Action Minutes

WELCOME

ROLL CALL

PRESENT: Commissioners Casey, Caballero, Cantrell, Garcia (arrived at 6:32 p.m.),
Lardinois, Montañez, Oliverio (arrived at 6:33 p.m.), Young

ABSENT: Commissioners Bonilla, Ornelas-Wise, Torrens

1. CALL TO ORDER & ORDERS OF THE DAY

Meeting called to order at: 6:30 p.m.

Access the video, agenda, and related reports for this meeting by visiting the City's website at:
<https://www.sanjoseca.gov/your-government/departments/planning-building-code-enforcement/planning-division/commissions-and-hearings/planning-commission>

2. PUBLIC COMMENT

Public comments to the Planning Commission on non-agendized items. Please use the 'raise hand' feature in Zoom or click *9 to raise a hand to speak or contact 408-535-3505 to request to speak. Each member of the public may address the Commission for up to two minutes. The commission cannot take any formal action without the item being properly noticed and placed on an agenda. In response to public comment, the Planning Commission is limited to the following options:

- Responding to statements made or questions posed by members of the public; or
- Requesting staff to report back on a matter at a subsequent meeting; or
- Directing staff to place the item on a future agenda.

None

3. DEFERRALS AND REMOVALS FROM CALENDAR

Any item scheduled for hearing this evening for which deferral is being requested will be taken out of order to be heard first on the matter of deferral or removal.

Staff will provide an update on the items for which deferral and removal is being requested. If you want to change any of the deferral dates recommended, or speak to the question of deferring or removing these or any other items, please use the 'raise hand' feature in Zoom or click *9 to raise a hand to speak or contact 408-535-3505 to request to speak.

No Items

4. CONSENT CALENDAR

The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by a member of the Planning Commission, staff, or the public to have an item removed from the consent calendar and considered separately.

Staff will provide an update on the consent calendar. If you wish to speak on one of these items, please use the 'raise hand' feature in Zoom or click *9 to raise a hand to speak or contact 408-535-3505 to request to speak.

ACTION: COMMISSIONER LARDINOIS MADE A MOTION TO DEFER CONSENT CALENDAR ITEM 4.A. TO THE DECEMBER 1, 2021 PLANNING COMMISSION MEETING AND APPROVE CONSENT CALENDAR ITEM 4.B.

COMMISSIONER CABALLERO SECONDED THE MOTION (8-0-3; BONILLA, ORNELAS-WISE AND TORRENS ABSENT).

- a. [Review and Approve Action Minutes from November 10, 2021.](#)
- b. [CP20-016 \(Administrative Hearing\)](#). Conditional Use Permit to allow a warehouse retail establishment within a proposed approximately 14,000-square foot addition, as well as an additional 6,050 square feet of warehouse space, for a total addition of 20,050 square feet, to an existing 71,608-square foot warehouse building, including associated modifications to parking and landscaping and removal of three ordinance-sized trees, on an approximately 4.12-gross acre site located on the northwest side of Rogers Avenue, approximately 970 feet southeasterly of East Brokaw Road (1728-1750 Rogers Avenue). (GE San Jose LP Owner). Council District 3. **CEQA:** Mitigated Negative Declaration for the Granite Expo San Jose LP Retail Showroom & Warehouse Project.

PROJECT MANAGER, RINA SHAH

- 1. ADOPT A RESOLUTION ADOPTING THE MITIGATED NEGATIVE DECLARATION FOR THE GRANITE EXPO SAN JOSE LP RETAIL SHOWROOM AND WAREHOUSE PROJECT AND THE ASSOCIATED MITIGATION MONITORING AND REPORTING PROGRAM IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA); AND**
- 2. ADOPT A RESOLUTION APPROVING, SUBJECT TO CONDITIONS, A CONDITIONAL USE PERMIT TO ALLOW A WAREHOUSE RETAIL ESTABLISHMENT WITHIN A PROPOSED APPROXIMATELY 14,000-SQUARE FOOT ADDITION, AS WELL AS AN ADDITIONAL 6,050 SQUARE FEET OF WAREHOUSE SPACE, FOR A TOTAL ADDITION OF 20,050 SQUARE FEET, TO AN EXISTING 71,608-SQUARE FOOT WAREHOUSE BUILDING, INCLUDING ASSOCIATED MODIFICATIONS TO PARKING AND LANDSCAPING AND REMOVAL OF THREE ORDINANCE-SIZED TREES, ON AN APPROXIMATELY 4.12-GROSS ACRE SITE.**

5. PUBLIC HEARING

Generally, the Public Hearing items are considered by the Planning Commission in the order in which they appear on the agenda. However, please be advised that the Commission may take items out of order to facilitate the agenda, such as to accommodate significant public testimony, or may defer discussion of items to later agendas for public hearing time management purposes.

- a. [PDC15-067](#). Planned Development Rezoning from the CG Commercial General Zoning District and LI Light Industrial Zoning District to the CP(PD) Planned Development Zoning District for a mixed-use development with a minimum of 60,331 square feet of commercial and up to 408 residential units on a 2.77 gross-acre site located at 1260 E. Santa Clara Street (Burch Investment Company James, Owner) Council District: 3. **CEQA**: Mitigated Negative Declaration for the Empire Lumber Mixed Use Project.

PROJECT MANAGER, JENNIFER PIOZET

ACTION: COMMISSIONER YOUNG MADE A MOTION TO RECOMMEND THAT THE CITY COUNCIL TAKE THE FOLLOWING ACTIONS:

- 1. ADOPT A RESOLUTION ADOPTING THE EMPIRE LUMBER MIXED USE MITIGATED NEGATIVE DECLARATION, FOR WHICH AN INITIAL STUDY WAS PREPARED, AND ASSOCIATED MITIGATION MONITORING AND REPORTING PLAN, ALL IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), AS AMENDED;**
- 2. ADOPT AN ORDINANCE OF THE CITY OF SAN JOSE REZONING (FILE NO. PDC15-067) THE PROPOSED PLANNED DEVELOPMENT REZONING FROM CG COMMERCIAL GENERAL ZONING DISTRICT AND LI LIGHT INDUSTRIAL ZONING DISTRICT TO CP(PD) PLANNED DEVELOPMENT ZONING DISTRICT FOR A MIXED-USE DEVELOPMENT WITH A MINIMUM OF 60,331 SQUARE FEET OF COMMERCIAL AND UP TO 408 RESIDENTIAL UNITS ON A 2.77 GROSS-ACRE SITE.**

COMMISSIONER OLIVERIO SECONDED THE MOTION (8-0-3; BONILLA, ORNELAS-WISE, AND TORRENS ABSENT).

6. REFERRALS FROM CITY COUNCIL, BOARDS, COMMISSIONS, OR OTHER AGENCIES

7. GOOD AND WELFARE

a. Report from City Council

The Commission Secretary reported on City Council actions taken on November 16, 2021

b. Subcommittee Formation, Reports, and Outstanding Business

No items

c. Commission Calendar and Study Sessions

SB9 Study Session scheduled for December 1, 2021.

d. The Public Record

Commissioner Oliverio spoke on “Opportunity Housing”

8. ADJOURNMENT

Meeting adjourned at 7:31 p.m.